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ELECTION COMMISSION, INDIA

NOTIFICATION

New Delhi, the 14th October 1952

In pursuance of the provisions of sub-section (1) of Section 90 of the Representation of the People Act, 1951 (Act XLIII of 1951), Election Petition No. 68 of 1952 was published in the issue of the *Extraordinary Gazette of India*, dated 16th August 1952 and the said petition was directed to be fixed for hearing on the 25th of September 1952. Thereafter the Tribunal has on the application of the petitioner ordered that annexures 'C' and 'G' to the petition of the petitioner dated 22nd March 1952 should also be published. The following particulars *vide* annexures 'C' and 'G' of the said petition are published for information:—

ELECTION PETITION No. 68 OF 1952.

Received by me the twenty-fourth day of March 1952 by registered post.

(Sd.) P. S. SUBRAMANIAN, Secy.  
Election Commission.

BEFORE THE ELECTION TRIBUNAL

Mehta Gordhandas Girdharlal, C/o Socialist Party, Palanpur—Petitioner.

*Versus*

1. Chavda Akbar Dalumiyan, Kanazara, Deesa Taluka, Banas Kantha District.
2. Modi Mayachand Khemchand, Station Road, Palanpur.
3. Mehta Dahyalal Manilal, Amir Road, Palanpur—Respondents.

In the matter of the Election Petition under Section 81 of the Representation of the People Act, 1951, against Shri Chavda Akbar Dalumiyan, the returned Candidate to the House of the People from the Banas Kantha Constituency.

Annexure "C" (Collectively).

1. That the Return of Election Expenses of Respondent No. 1 is "false in material particulars" and as such is invalid and of no effect in law entailing disqualification of Respondent No. 1 as a candidate.

2. That Respondent No. 2 failed to submit vouchers for the expenses incurred on his behalf during the said election and/or to give inspection thereof in time to the Petitioner.

- (i) Copy of the letter dated 15th March 1952 from Shri Mehta Gordhandas Girdharlal to Shri Chavda Akbar Dalumiyar.
- (ii) Copy of the letter dated 15th March 1952 from Shri Mehta Gordhandas Girdharlal to the Returning Officer, Banas Kantha Constituency, Palanpur.
- (iii) Copy of the letter No. E.L.C., dated 17th March 1952, from the Collector and Returning Officer, Banas Kantha District to Shri Chavda Akbar Dalumiyar.
- (iv) Copy of the letter dated 19th March 1952, from Shri G. G. Mehta to the Returning Officer, Banas Kantha Constituency, Palanpur.
- (v) Copy of the letter dated 21st March 1952, from Shri G. G. Mehta to the Returning Officer, Banas Kantha Constituency, Palanpur.
- (vi) Copy of the letter dated 21st March 1952, from Shri G. G. Mehta to Shri Chavda Akbar Dalumiyar.

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Annexure "G" (Collectively)

The major corrupt practice of "undue influence" was also exercised with the connivance of Respondent No. 1 as per the following correspondence:—

1. Letter in Gujarati without date of Shri Mansinghji Rathod, Secretary, Banas Kantha Khedut-Mandal, addressed to Shri Modi Laxmichand Ramchand of village Bhutedi, Taluka Palanpur, District Banas-Kantha threatening disciplinary action contrary to law.
2. Reply in Gujarati dated 29th November 1951, of Shri Modi Laxmichand Ramchand addressed to Shri Mansinghji Rathod, Secretary, Banas Kantha Khedut Mandal, with copies to Banas Kantha District Congress Committee, Palanpur.
3. Letter in Gujarati dated Palanpur 19th January 1952, of Shri Mansinghji Rathod, Secretary, Banas Kantha Khedut-Mandal, addressed to Shri Kantilal Bhikhabhai Vaidya threatening with disciplinary action contrary to law for election work against the Congress.
4. Reply in Gujarati dated 27th January 1952, of Shri Kantilal Bhikhabhai addressed to Shri Mansinghji Rathod, Secretary, Banas Kantha Khedut Mandal.

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It is hereby further notified that the Election Tribunal which has been appointed for trial of this petition shall meet at the Old Court Building, Palanpur, at 11 o'clock in the forenoon on Monday the 24th day of November 1952, in connection with this petition.

B. C. VAKIL, Chairman,  
Election Tribunal, Ahmedabad.

Dated, the 9th October 1952

P. S. SUBRAMANIAN  
For Chief Election Commissioner.